

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY,

Plaintiff,

v.

DOLORES L. GRAY,
N.D. a minor,
SARA DALEY as guardian for N.D., a
minor,

Defendants.

No. 1:20-cv-01343-JPH-DML

Matthew C. Boldt Recruited Counsel for
Defendant Sarah Daley as guardian for
N.D., a minor,
Jeffrey S. Dible Recruited Counsel for
Defendant Delores L. Gray,
Adam Ira Recruited Counsel for
Defendant Delores L. Gray,

Recruited
Counsels.

ORDER ON INTERPLEADER AND ATTORNEY FEES AND COSTS

Plaintiff, Hartford Life and Accident Insurance Company, has filed a motion to deposit funds and for interpleader discharge, requesting an order authorizing it to deposit the proceeds of an employee welfare-benefit plan and dismissing Hartford from this case with prejudice. Dkt. 13 at 7–8. Hartford has also filed a motion for attorney fees and costs, requesting \$4,647.60 in fees and costs that were incurred in connection with this litigation. Dkt. 18.

Defendants—Delores Gray, N.D., and Sara Daley as guardian of N.D.—"are

competing claimants with respect to the Proceeds." Dkt. 1 at 4. They are represented by recruited counsel, dkt. 19; dkt. 20, and have not opposed either of Hartford's motions.


For the reasons in the motions, Hartford's unopposed motion to deposit funds and for interpleader discharge is **GRANTED**, dkt. [13], and its unopposed motion for attorney fees and costs is **GRANTED**, dkt. [18]; *see* dkt. 18-1 (declaration in support); *Aaron v. Mahl*, 550 F.3d 659, 667 (7th Cir. 2008).

Hartford **IS ORDERED** to deposit \$45,352.40—the \$50,000.00 at issue less \$4,647.60 in attorney fees and costs—into the Court's registry under Federal Rule of Civil Procedure 67 **within fourteen days** of the date of this order.

Once the funds have been deposited, the Court will dismiss Hartford from this action with prejudice.

SO ORDERED.

Date: 12/3/2020


James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

Rachel H. Beattie
SMITH VON SCHLEICHER & ASSOCIATES
rachel.beattie@svs-law.com

Matthew C. Boldt
LEWIS WAGNER LLP
mboldt@lewiswagner.com

Jeffrey Scott Dible
FROST BROWN TODD LLC (Indianapolis)
jdible@fbtlaw.com

Adam Spencer Ira
FROST BROWN TODD LLC (Indianapolis)
aira@fbtlaw.com

Warren von Schleicher
SMITH von SCHLEICHER & ASSOCIATES
warren.vonschleicher@svs-law.com

District Court Finance Department